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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/706,346	11/12/2003	Steven F. Bolling	ORQIS.007A	6824
29695	7590	07/02/2008	EXAMINER	
KNOBBE MARIENTS OLSON & BEAR LLP			KOHARSKI, CHRISTOPHER	
2040 MAIN STREET			ART UNIT	PAPER NUMBER
FOURTEENTH FLOOR				3763
IRVINE, CA 92614				
NOTIFICATION DATE		DELIVERY MODE		
07/02/2008		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

jcartee@kmob.com  
eOAPilot@kmob.com

#### **DETAILED ACTION**

##### ***Response to Amendment***

The reply filed on 3/11/2008 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): An election restriction was filed 03/13/2006 in which the species G encompassing Figures 23A and 23B was selected. Applicant has amended the independent claims to include an inlet located adjacent to the proximal end toward the distal end; which appears to be drawn to a non-elected invention. The Examiner asserts that the inlet port being described seems to be part of different embodiments not elected, such as figure 18A element 748. Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. See 37 CFR 1.142(b) and MPEP § 821.03, See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment.

EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

##### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher D. Koharski whose telephone number is 571-272-7230. The examiner can normally be reached on 5:30am to 2:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nick Lucchesi can be reached on 571-272-4977. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Date: 6/19/2008

/Christopher D Koharski/  
Examiner, Art Unit 3763

/Nicholas D Lucchesi/  
Supervisory Patent Examiner, Art Unit 3763